

November 22, 2011

Via Email and U.S. Mail

Daniel D. Opalski
Director, Office of Environmental Cleanup
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

Re: The Portland Harbor Superfund Site

Dear Mr. Opalski:

On behalf of the signatories listed in the attachment, we write in response to your letter of November 2, 2011, which responded to our October 18, 2011 letter to the Environmental Protection Agency ("EPA") Region 10 Administrator, Dennis McLerran, and our technical white paper regarding the Portland Harbor Superfund Site in Portland, Oregon ("Site"). We appreciate your prompt reply to our letter to Mr. McLerran and your preliminary response to the concerns raised in our white paper. Although we are disappointed that Mr. McLerran did not agree to meet with us at this time, we accept your offer of an initial meeting with EPA's Remedial Project Managers and are encouraged by EPA's willingness to consider potential senior level discussions following that initial technical meeting.

Your letter suggested that many of the concerns raised in our white paper are premature and should not be discussed with EPA managers until after subsequent developments in the remedy selection process. We chose this time to raise the issues in the white paper out of a deep concern that the overly conservative assumptions EPA has directed be included in risk assessments may now be affecting the process and could lead to the development or proposal of remedial options that are infeasible, not tailored to the risks presented at the Site, and unlikely to result in future agreements to perform remedial work. We reaffirm our request to meet with the Regional Administrator and others at EPA in the future to voice these concerns and to discuss the best means of working together to avoid such an outcome.

As suggested, we will contact Mr. Humphrey and Ms. Koch soon to arrange a date in the near future for an initial meeting. We also look forward to further discussions with you, Mr. McLerran and other senior management of EPA Region 10 as we work toward our common goal of a successful remedy selection process.

Sincerely,

See attached list of signatories

cc: James Woolford, Director, EPA Office of Superfund Remediation
Dennis McLerran, Regional Administrator, EPA Region 10
Allyn Stern, EPA Region 10 Regional Counsel
Lori Houck Cora, Esq., EPA Region 10 Assistant Regional Counsel
Chip Humphrey, EPA Region 10 Remedial Project Manager
Kristine Koch, EPA Region 10 Remedial Project Manager
Steve Ells, Chair, CSTAG
Dick Pederson, Director, Oregon Department of Environmental Quality

Daniel D. Opalski, Director, EPA Region 10 Office of Environmental Cleanup
November 22, 2011

Signatories

ACF Industries LLC
Acme Trading & Supply Company
Anchor Park LLC
Ash Grove Cement Company
Ashland Inc. and its wholly owned subsidiary Hercules Incorporated
ATKN Company
Atlantic Richfield Company / BP West Coast Products, LLC
Babcock Land Company, LLC
BAE Systems San Diego Ship Repair Inc.
Basin Street Associates, LLC
Beazer East, Inc.
Bird Inc.
Brix Maritime Co.
Calbag Metals Co.
Cargill, Incorporated
Container Management Systems, LLC
Crawford Street Corporation
Daimler Trucks North America LLC
Distribution, Inc., dba FTL, Inc.
Equilon Enterprises LLC dba Shell Oil Products US
ESCO Corporation
Estes Express Lines
ExxonMobil Corporation
FMC Corporation
Fred Devine Diving & Salvage
Front Avenue Corp.
Galvanizers Company
HAJ, Inc. dba Christenson Oil
IMACC Corporation

Daniel D. Opalski, Director, EPA Region 10 Office of Environmental Cleanup
November 22, 2011

Koppers Inc.

Lakeside Industries, Inc.

Legacy Site Services as agent for Arkema Inc.

Lockheed Martin Corporation

Marine Group LLC

Mitsubishi Corporation

Mitsubishi International Corporation

Northwest Pipe Company

Schnitzer Investment Corp.

Schnitzer Steel Industries, Inc.

Shaver Transportation Company

Shore Terminals LLC

Tube Forgings of America, Inc.

Union Carbide Corporation